

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

ORLY GINGER,

Debtor.

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§

CHAPTER 7

CASE NO. 19-10926-TMD

**JOINDER OF DALIA GINGER TO SAGI GINGER'S AND
THE ORLY GINGER 1993 TRUST'S MOTION TO EXTEND
THE DEADLINE TO OBJECT TO DISCHARGE/DISCHARGEABILITY
[Relating to Docket No. 36]**

TO THE HONORABLE JUDGE OF SAID COURT:

DALIA GINGER ("D.Genger"), a creditor and party in interest, by and through its counsel of record, hereby joins with Sagi Genger and The Orly Genger 1993 Trust in their Motion to Extend the Deadline to Object to Discharge/Dischargeability [Dkt. No. 36] (the "Motion"), and seeks the same relief, and respectfully states as follows:

1. For the convenience of the Court and in the interests of judicial economy, D.Genger has adopted and incorporated the arguments set forth in the Motion.

2. This estate and the Chapter 7 debtor have significant transactions that must be explored and investigated. Good cause exists for this requested relief which is timely filed, and the requested relief is absolutely necessary to protect the creditors and the bankruptcy process. Importantly, the time for filing objections to discharge and dischargeability is now specifically excepted from those time periods a bankruptcy court may waive under the more liberal "excusable neglect" standard of Fed. R. Bankr. P. 9006(b)(1). *See* Fed. R. Bankr. P. 9006(b)(3). *In re Grillo*, 212 B.R. 744 (Bankr. E.D.N.Y. 1997). The nature of the "cause" adopted herein by D.Genger involves acts and omissions by the debtor that has prejudices D.Genger as well as other creditors' ability to timely commence an action. *See, In re Jahangiri*, No. 18-31609-dwh7, 2018 Bankr. LEXIS 3252, at *14 (Bankr. D. Or. Oct. 19, 2018).

3. Fed. R. Bankr. P. 4004(c)(1)(I) provides that the bankruptcy court will not enter a discharge after expiration of the objection deadline if “a motion to delay or postpone discharge under § 727(a)(12) is pending”. Fed. R. Bankr. P. 4004(c)(1)(D) provides that the bankruptcy court will not enter a discharge a motion to dismiss the case under §707 is pending. Fed. R. Bankr. 4007(c) provides that “[o]n motion of a party in interest, after hearing on notice, the court may for cause extend the time fixed under this subdivision.” Each of these provisions permits this Court to grant the relief sought herein.

4. Based on the foregoing, the Court should enter an order (i) extending the deadline to file objections to discharge and dischargeability through January 20, 2020, (ii) setting a hearing, if necessary, on the Motion, and (iii) granting such other relief as is just and proper.

Dated: October 4, 2019

Respectfully submitted,

/s/ Shelby A. Jordan

Shelby A. Jordan

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**ATTORNEYS FOR D&K GP LLC AND
DALIA GENDER**

CERTIFICATE OF SERVICE

The undersigned hereby certified that a true and correct copy of the foregoing instrument has been served on this 4th day of October, 2019 upon the parties listed requesting service via ECF notification and to all parties in the attached service list via U.S. First Class Mail.

/s/ Shelby A. Jordan

Shelby A. Jordan

Via ECF

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